

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

vs

MARTIN CHARLES JONES,

Defendant.

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CRIMINAL NO. 12-00282-KD

ORDER

This matter is before the undersigned on the defendant's unopposed motion to continue the trial set for the February, 2013 criminal term (Doc. 21), filed on January 21, 2013.

Upon consideration of the defendant's motion, the Court finds that neither the defendant nor the United States will be unduly prejudiced by a continuance to the next term; therefore, the defendant's motion is **GRANTED**, and the trial is **CONTINUED** to the **March 2013** criminal trial term, with jury selection commencing on **March 4, 2013**.

The Court further finds that pursuant to 18 U.S.C. 3161(h)(7)(A), the ends of justice served by taking such action outweighs the best interest of the public and the defendant in a speedy trial. Specifically, the continuance is warranted to enable counsel for the defendant additional time to adequately prepare for trial. Under these circumstances, the Court finds that counsel has proffered valid reasons for an extension in order to prepare for trial. *See* 18 U.S.C. 3161(h)(7)(B)(iv). Therefore, for purposes of the Speedy Trial Act, any delay resulting from this continuance is excludable pursuant to 18 U.S.C. 3161(h)(7)(A) (excluding [a]ny period of delay resulting from a continuance granted by any judge . . . if the judge granted such continuance on the basis of his findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.).¹

¹ Waiver of Right of Speedy Trial filed as an attachment to Unopposed Motion to Continue Trial (doc. 21)

The Clerk of Court is directed to refer this matter to the appropriate Magistrate Judge to schedule a new pretrial conference.

DONE and ORDERED this 23rd day of January, 2013.

s/Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE